

Date: Thursday January 28, 2016

Location: Centre for Health & Safety
Meeting: Electrical Contractor Registration Agency (ECRA) Advisory Council

Present:

Fred Black	ECAO
Louis Violo	OEL
Debra Mattina	AMCTO
Brian Smith	ESA appointee
Sean Bell	UCAO
Larry Allison	AMCTO

ESA Staff:

Normand Breton	ESA
Farrah Bourre	ESA
Tracy Durant	ESA
Shana Hole	ESA
Joel Moody	ESA
Scott Eason	ESA

Guests:

Lydia Ma	MGCS
Ron Bergeron	OEL

Speakers:

Pete Karageorgos	IBC
Dr. Marc Jeschke	SHSC

Regrets:

Joe Kurpe	ECAO
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15.05.01 **Review of Agenda**

Sufficient members in attendance for quorum.

*MOTION to approve agenda as amended by Larry Allison
Seconded by Debra Mattina
All in Favour
Carried*

15.05.02 **Review of Minutes**

Motion to Approve November 23 and 24 Minutes & Review Action Items

It was noted that minutes were amended to reflect correct assignment of action items. Action item 15.05.10 "Sale of Distribution Products to Non LEC's", assigned to Nancy Evans was re-assigned to Normand Breton.

*MOTION to approve November 23/24 minutes as amended by Fred Black
Seconded by Debra Mattina
All in favour
Carried*

*MOTION to approve minutes by Brian Smith
Seconded by Debra Mattina
All in favour
Carried*

Outstanding Action Items Were Discussed

15.03.09- To Provide Suggestions on Educational Topics to be added to Presentation at Future Meetings.

The ECRA Advisory Council was provided with a list of educational topics. A suggestion was made to include the topic of the Licensing process for presentation. It was expressed that a flow chart to illustrate this process would be helpful.

14.02.04 – Look into adding a checkbox to the LEC and ME renewals which would indicate the licence holder has read the LEC & DME Guide.

Ongoing. Anticipated completion date will be provided by next meeting.

12.02.02- Implement a declaration where contractors will have to accept the terms and conditions when applying online. One timers will be added at another date.

Ongoing. Anticipated completion date will be provided by next meeting.

16.01.03 **Membership Update**

Farrah Bourre provided the ECRA Advisory Council with a brief summary of activities ESA is undertaking to take on new members. The membership process was explained and it was noted that membership recommendations from OEL and ECAO are presented by the Regulatory Affairs and Governance subcommittee to the Board of Directors who make the final decision on the membership.

ESA is still researching for suitable candidates for the vacant ESA representative.

MEC membership was also discussed. As per Terms of Reference, an MEC member is approved by the ECRA Advisory Council. Presently, ESA is looking to fill in two vacant MEC member positions. Prospective members are currently being reviewed internally and will be presented at the next ECRA meeting.

The Council reviewed Doug McGinley's proposal and resume for appointment to the MEC.

*MOTION to appoint Doug McGinley to the MEC by Debra Mattina
Seconded by Brian Smith
All in favour
Carried*

16.01.04 **Amendment to Terms of Reference**

The ECRA Board reviewed and discussed the proposed amendments to the Terms of Reference. A new amendment was added as noted below:

Article 2 - ECRA Membership

A. Appointment of ECRA Members

The appointment process shall be governed by the policies of ESA. ECRA shall consist of ten (10) members, two (2) nominated by the ESA, two (2) licensed electrical 4 contractors nominated by the ECAO, two (2) licensed electrical contractors nominated by the OEL, one (1) licensed electrical contractor nominated by the Utility Contractors Association of Ontario, one (1) person representing municipalities nominated by the Association of Municipal Managers, Clerks and Treasurers of Ontario, one (1) person representing consumers of electrical work nominated by the Consumer Advisory Council of ESA, and one (1) person from the community at large nominated by ECRA. Acceptance of nominees are subject to review and approval by the Regulatory Affairs and Governance Committee and Board of ESA.

Members of ECRA shall be appointed for a term of up to three (3) years and may serve no more than nine (9) consecutive years, unless otherwise permitted by the Regulatory Affairs and Governance Committee and Board of ESA. ECRA may establish processes to manage the terms and renewals of its members, once appointed.

*MOTION to approve the Amendments to the Terms of Reference made by
Debra Mattina
Seconded by Sean Bell
All in favour
Carried*

16.01.05 **Insurance Bureau of Canada (IBC)**

Pete Karageorgos Director, Consumer and Industry Relations Ontario, IBC presented Insurance 101 (see presentation.)

Mr. Karageorgos reviewed how home insurance policies work. With a wide range of policies available from a number of companies, it is hard to standardize home insurance. There are opportunities to align messaging re: licensing in ESA, IBC campaigns and collateral.

ECRA heard that the IBC does not have the ability to mandate the insurance industry. The IBC can bring opportunities to the table, but cannot impose this on insurance companies.

It was noted that consumer education is effective about the consequences of not obtaining the proper permits etc.

The Council encouraged ESA and the IBC to work together to reduce the risk of underground electrical work by educating consumers on the benefits following the law and hiring LECs to perform electrical work.

16.01.06 **Tony Dean Report**

Tracy Durant presented ESA's analysis of the Tony Dean report and its impact on Licensing (see presentation).

A discussion was held and it was indicated that the OEL and the ECAO have sent letters in opposition to some of the recommendations made by the Dean Report.

The recommendation in the Dean Report concerning the need for OCOT to update the Scopes of Practice for trades and determine how the Scopes of Practice will be used in the enforcement of compulsory trade work could potentially have impacts for Licensing.

It was identified that ESA needs to understand and monitor how OCOT will implement the proposed changes.

ACTION: **The ECRA Advisory Council** to monitor the associations for any changes and report them to Tracy Durant.

16.01.07 **ME Exam Pass Rate**

Shana Hole presented the ECRA Advisory Council with an overview of the examination pass rate data for 494 ME candidates since December 2014 (see presentation.)

The data showed pass rate outcomes when increasing the pass rate to 60/70 and 70/70, as recommended by the MEC.

Based on this data, the Council discussed the implications of changing the pass rate in each of the three sections of the exam. Concerns were raised that ESA was following the exam standards of other regulated professions. It was suggested that not passing a particular section would mean that one does not have enough knowledge to work in the industry and is required to take the ME exam again. It is necessary that individuals entering this field meet the minimum requirements and minimize the risk. The Council expressed that they have concerns that there may be unqualified individuals who hold a masters licence.

The Council feels strongly that there should be a minimum standard and was in support of the MEC recommendation that there should be a minimum pass rate of 60 per cent in each exam section, and a 70 per cent overall pass rate.

MOTION to implement a minimum pass rate of 60 per cent in the three sections of the ME exam and 70 per cent overall, with the option of rewriting a section if failed made by Brian Smith

Seconded by Larry Allison

All in favour

Passed

ACTION: **Shana Hole** to provide the ECRA Advisory Council with an update on the steps in moving this proposal to the RAGC

16.01.08 **Discipline Guideline & Professional Standards of Conduct Documents**

Shana Hole provided the ECRA Advisory Council with an update on the Discipline Guideline and Standards of Conduct Documents.

The working group met to implement changes to the Standards of Conduct made by the ESA Legal Department. The final document came back and is ready for discussion and feedback.

The Council proposed bolding the following sentence:

*“More specifically, in accordance with the Electricity Act (s.113.2(2)(a) to (i)), **the Director may propose to take discipline against a licence holder if the Director has reason to believe that,**”*

*MOTION to approve the Standards of Conduct as amended, bolding the proposed section in the document, by Debra Mattina
Seconded by Sean Bell
All in favour
Passed*

The Council has suggested ESA set up clear guidelines for future sub-committees and to let the sub-committee provide unfettered input.

ACTION: **Shana Hole** to keep the ECRA Advisory Council updated with the status of the Discipline Guideline. If the document is ready for review prior to next ECRA meeting, an online session will be arranged with the Council for discussion and feedback.

16.01.09 **Sale of Distribution Products to Non LEC's**

Normand Breton reviewed the Regulatory Impact Assessment process (see presentation.)

The ECRA Advisory Council was reminded that if there is a risk to public safety, this is good grounds to build a case. When assessing regulatory impact the following points need to be addressed:

- What is the problem (issue) to be solved?
- Why is government action needed now?

Joel Moody discussed the Number and Percentage of Wiring Notifications by Group Type per Fiscal Year (see presentation.)

It was identified that over the last five fiscal years, when looking at critical injuries and fatalities for the Non LEC Group, only one critical injury has been recorded. However, this does not capture the underground economy and unreported incidents. There are homeowners doing their own electrical work illegally and it is difficult for regulators to know they are doing it.

The Council expressed that something needs to be done regarding homeowners who perform their own electrical work. However, in order to bring this to the government's attention, there needs to be actual data indicating a safety risk. The data that ESA presently has does not support this. For homeowners performing electrical work illegally, the data is not supportive as well. For other groups of individuals doing their own work, ESA does not have the data today to show how big or small this category is.

One ECRA member expressed that even though ESA data does not capture the problem, it does not mean that it does not exist. The issue should be addressed in other ways. (i.e. understanding the behaviour and what drives behaviour).

One member thought ESA should be informing the government that there is safety risks associated with homeowners doing their own electrical work and this poses a risk to public safety. ESA responded that currently the data does not support this.

It was noted that OEL has contractors taking pictures of work done by homeowners. ESA is interested in seeing this information.

16.01.10 **Multi-Year Renewal Status Update**

Scott Eason presented the ECRA Advisory Council with a brief update on the Five-Year Renewal (see presentation.)

ESA had an external stakeholder consultation that concluded last Friday, January 22nd. The response rate was high. The feedback was positive and supportive of the change. However, questions still exist around the payment structure i.e. annual staggering.

Within the IT infrastructure, analysis of current process and data has begun.

Effective date is July 1st. Contractors will be able to make payment via the ESA online platform system.

16.01.11 **Sunnybrook Research Institute: Electrical Injury Endowment Fund**

Dr. Marc Jeschke provided the ECRA Council with an overview of the Ross Tilley Burn Centre (see presentation.)

The presentation focused on the Centre's organizational structure, the high quality of acute care provided to electrical injury victims, as well as the important role it plays as a rehabilitation centre.

Dr. Jeschke also discussed other areas that funding supports, such as research and the study of electrical injury more comprehensively than any other organization in the world.

The Council was asked whether they would consider a one-time donation before fiscal year end.

ACTION: **Normand Breton** to send out communication to the ECRA Council providing more information about the donation.

Meeting was adjourned.

End of ECRA Advisory Council Meeting

If there are any discrepancies to these minutes, please report them to Normand Breton by email.